

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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MAURICIO MELGAR,

Plaintiff,

**CIVIL ACTION NO.: 22-cv**

v.

**NOTICE OF REMOVAL**

ROSARIO HERNANDEZ and UNITED CARGO  
LOGISTICS INC.,

Defendants.  
-----X

TO: Law Offices of Gary S. Park, P.C.  
39-01 Main Street, Suite 608  
Flushing, NY 11354

**PLEASE TAKE NOTICE** that on this date defendants ROSARIO HERNANDEZ and UNITED CARGO LOGISTICS INC. by their undersigned counsel, have filed this Notice of Removal pursuant to 28 USC §1446(a) in the office of the Clerk of the United States District Court for the Eastern District of New York and show:

1. Plaintiff MAURICIO MELGAR instituted a lawsuit against the defendants in the Supreme Court of the State of New York, County of Queens by filing a Verified Complaint on or about June 10, 2022. Ex. A.

2. Upon information and belief, the Summons and Verified Complaint were received by defendant ROSARIO HERNANDEZ on or about June 14, 2022.

3. Upon information and belief, the Summons and Verified Complaint were not received by defendant UNITED CARGO LOGISTICS INC. to date.

4. There have been no other proceedings in this action.

5. Plaintiffs MAURICIO MELGAR purports to be a citizen and resident of the State of New York, residing in the County of Queens. *Please see* Verified Complaint annexed as Ex. A.

6. Defendant UNITED CARGO LOGISTICS INC. is a California corporation, with its principal offices in City of Industry, California.

7. Defendant ROSARIO HERNANDEZ is a citizen and resident of the New Jersey, residing in Passaic, New Jersey.

8. On June 17, 2022, the defendants served upon the plaintiff a demand for *ad damnum* Ex. B.

9. On June 21, 2022, the plaintiff responded to the defendants' demand for *ad damnum* indicating damages in the amount of \$1,000,000 (Ex. C).

10. The plaintiff's damages are in excess of \$75,000, together with costs and disbursements, which damages exceed the jurisdictional threshold for this matter to be pending in the United States District Court, District of New Jersey.

11. Jurisdiction over the subject matter of this action is conferred on this Court by 28 USC §1441(a).

12. Jurisdiction on this Court is proper pursuant to 28 USC §1332 and 28 USC §1441 in that the parties are of complete diversity, the amount in controversy exceeds \$75,000, exclusive of interest and costs, and no defendant is a citizen of the State of New York.

13. This Notice is filed with this Court within 30 days of defendants' receipt "through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based," as provided by 28 USC §1446(b).

**PLEASE TAKE FURTHER NOTICE**, that defendants, upon filing the Notice of Removal in the Office of the Clerk of the United States District Court for the Eastern District of New York, have also filed a copy of the Notice with the Clerk of the Supreme Court of the State of New York, County of Queens, at the courthouse located at 88-11 Sutphin Blvd, Queens, NY 11435, to effect removal of this action to the United States District Court pursuant to 28 USC §1446(d).

Dated: New York, New York  
July 21, 2022

LAW OFFICES OF LORNE M. REITER, LLC  
Attorneys for Defendants  
ROSARIO HERNANDEZ and UNITED CARGO  
LOGISTICS INC.  
14 Wall Street, 20<sup>th</sup> Floor  
New York, New York 10005  
(212) 222-0955

By: s/Lorne M. Reiter  
LORNE M. REITER